

ATTACHMENT 9

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
4 CISCO SYSTEMS, INC.,
5 Plaintiff,
6 vs. No. 5:14-cv-05344-BLF
7 ARISTA NETWORKS, INC., (PSG)
8 Defendant.
9

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13 VIDEOTAPED DEPOSITION OF DELL INC. 30(b)(6)
14 CORPORATE REPRESENTATIVE - GAVIN CATO
15 Palo Alto, California
16 Friday, May 20, 2016
17 Volume I
18
19
20

21 REPORTED BY:
22 REBECCA L. ROMANO, RPR, CSR No. 12546
23 JOB NO. 2303539
24

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1 A. In dealing with requirements and dealing 10:41:03	1 Q. What do you mean by expected 10:44:09
2 with the customers and the expectations of the	2 configurations?
3 customers, in talking with the developers and	3 A. If you have a VLAN, then everybody --
4 spending time with the developers and testers.	4 there's an expectation that a VLAN and the
5 Q. For your work dealing with customers, was 10:41:26	5 terminology around VLAN will somewhere appear in 10:44:21
6 it important for you to know information about	6 the CLI along with the parameters necessary to
7 other vendors' CLI commands?	7 structure VLAN so that it interoperates across
8 A. No. It was more important for	8 multiple switches.
9 understanding their practice around CLIs.	9 Q. And how -- in your experience, how does
10 Q. What do you mean by understanding their 10:41:50	10 that expectation arise? 10:44:37
11 practice for CLIs?	11 MR. HOLMES: Objection. Calls for
12 A. Understanding the customer's expectations	12 speculation.
13 for how their users and techs would be using the	13 THE DEPONENT: The expectation arises
14 CLI and what they were trying to accomplish through	14 from -- from the customers and from the market.
15 the CLI. 10:42:07	15 Q. (By Ms. McCloskey) Can you explain to me 10:44:56
16 Q. Okay. Through what you've just	16 a little bit more how the expectation arises from
17 described, did you become aware of similarities	17 the customer?
18 between the CLI supported by Dell's Ethernet	18 MR. HOLMES: Objection. Calls for
19 routers and switches and the CLI supported by those	19 speculation and a narrative.
20 companies that you listed a moment ago? 10:42:24	20 THE DEPONENT: When you're dealing with a 10:45:17
21 MR. HOLMES: Objection. Calls for a	21 customer, the customer has a certain level of
22 legal conclusion. Speculation and vague.	22 experience with -- with switching. And when you're
23 THE DEPONENT: I -- I became familiar	23 going in and -- and talking to them about what they
24 with the -- the desire for customers to have a	24 want to experience with your switch, you are trying
25 similar look and feel for the products and the 10:42:42	25 to get them comfortable that they can operate your 10:45:32
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1 interactions with the products for their 10:42:46	1 switch in a way that is consistent with their 10:45:35
2 technicians.	2 expectations for the solution, and you're trying to
3 Q. (By Ms. McCloskey) More specifically,	3 meet the -- the understanding of what they want to
4 did you become aware -- have you become aware of	4 deploy.
5 similarities between the CLI supported by Dell's 10:43:00	5 Q. (By Ms. McCloskey) Do you know what a 10:46:05
6 Ethernet routers and switches and the CLI supported	6 command mode is?
7 by Cisco's routers and switches?	7 A. I'm aware of what command modes are.
8 MR. HOLMES: Objection. Vague. Calls	8 Q. What are you aware, in terms of what a
9 for a legal conclusion.	9 command mode is?
10 THE DEPONENT: I have become familiar 10:43:13	10 A. I know that command modes allow you to 10:46:18
11 with the fact that there's similarity --	11 enter different levels within the switch to provide
12 similarities between the CLIs.	12 information for the switch for configuration or
13 Q. (By Ms. McCloskey) What are those	13 data that the switch then uses to accomplish the
14 similarities?	14 actions that drive the interoperability.
15 MR. HOLMES: Objection. Calls for a 10:43:23	15 Q. And have you learned what a command mode 10:46:40
16 legal conclusion.	16 is through your work in networking?
17 THE DEPONENT: There's -- there's	17 A. Yes.
18 similarities in terms of overall, I guess,	18 Q. Do customers generally expect the Dell
19 structure --	19 CLI to support familiar command modes and
20 Q. (By Ms. McCloskey) Uh-huh. 10:43:40	20 their assoc- -- and their associated prompts? 10:46:51
21 A. -- of -- of what a CLI generally looks	21 MR. HOLMES: Objection. Speculation.
22 like versus a bunch of dashes, dots. It's a	22 Legal -- calls for a legal conclusion.
23 generalized set of expected configurations and	23 THE DEPONENT: Customers expect Dell to
24 parameters that a customer would need to know for a	24 support command modes and ensure that those command
25 network switch. 10:43:58	25 modes are -- are familiar with their technicians. 10:47:07
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1 Q. (By Ms. McCloskey) How do you know that? 10:47:12	1 Q. What is a show command? 10:50:20
2 A. Because any time we create command modes,	2 A. A show command enables you to identify
3 we go and we make sure that the -- the	3 and show what is currently configured in the
4 documentation and customers are trained so that	4 switch.
5 they can operate the switches. 10:47:23	5 Q. Do Dell customers, in your experience, 10:50:31
6 Q. Would it be accurate to say that the	6 expect Dell CLI to support show commands?
7 command mode supported by the Dell CLI are also	7 A. Yes.
8 dictated by customer expectations?	8 Q. How do you know that?
9 A. The command mode supported by Dell	9 A. It's been a hard requirement from the
10 switches are dictated by customer expectations, as 10:47:49	10 get-go and it's existed from the get-go. 10:50:47
11 well as our analysis of best practices for	11 Q. What do you mean from the get-go?
12 implementation of the functionality are the most	12 A. From when I joined Force10, it was there.
13 efficient means of implementation of the	13 Q. Are you familiar with the process at Dell
14 functionality.	14 by which new commands are added to its CLI?
15 Q. What do you mean by your analysis of best 10:48:04	15 A. Yes. 10:51:06
16 practices?	16 Q. How did you become familiar with that
17 A. We -- we look at the -- the most familiar	17 process?
18 mechanisms for the customer and we look at the --	18 A. Through the discussions and -- and
19 the capabilities for us to remain similar across	19 understanding of how we implement new features and
20 Dell products, both OEM products and third-party 10:48:29	20 functionality. 10:51:24
21 products.	21 Q. Are you responsible for the team that
22 Q. So when you are doing an analysis of best	22 adds new CLI commands to Dell's CLI?
23 practices, do you consider the practices of	23 A. Yes.
24 third-party products?	24 Q. Is there a particular person at Dell
25 A. We have to, in the sense that Dell 10:48:56	25 who's responsible for what -- for deciding what 10:51:43
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1 resells third-party products, and we OEM 10:48:58	1 collection of commands will constitute the CLI? 10:51:45
2 third-party products, and those are combined in a	2 A. No.
3 single solution for our customers.	3 Q. Is there a review -- a review process
4 Q. Okay. Do customers -- in your	4 that's used to decide whether any particular
5 experience, do customers expect the Dell CLI to 10:49:14	5 command will become the final CLI command? 10:51:57
6 support any particular command syntax?	6 A. Yes.
7 A. I'm aware that customers have	7 Q. Can you tell me about that review
8 requirements, hard -- sometimes hard requirements	8 process?
9 for support of particular commands and command	9 A. Sure. The developers take it to a group
10 modes and sequences of CLIs. 10:49:36	10 of -- of code reviewers, who then code review for 10:52:12
11 Q. What kind of hard requirements have you	11 consistency with the products in Dell's solutions,
12 become aware of?	12 and those code reviewers will include architects
13 A. I've -- I've seen the hard requirements	13 for the solutions and systems.
14 in terms of you need to support this particular way	14 Q. What do you mean by architects for the
15 of scripting that is consistent with how our techs 10:49:49	15 systems and -- for the solutions and systems? 10:52:44
16 already script and operate these in the field.	16 A. Dell designates expertise for particular
17 Q. Are you able to give any examples of	17 areas, functional areas, and in the -- and then
18 command syntaxes that Dell customers expect to see	18 overall system level architects in the system level
19 in the Dell CLI?	19 architects with generalized knowledge will make
20 MR. HOLMES: Objection. Calls for 10:50:13	20 that call collectively. 10:53:07
21 speculation. Vague.	21 Q. Are there any guidelines that are used in
22 THE DEONENT: Specifically, no.	22 selecting CLI commands?
23 Q. (By Ms. McCloskey) Do you know what a	23 A. No.
24 show command is?	24 Q. Any informal guidelines?
25 A. Yes. 10:50:20	25 A. Tribal knowledge. 10:53:16
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<p>1 Q. Okay. What do you mean by tribal 10:53:17</p> <p>2 knowledge?</p> <p>3 A. Dell's networking teams are made up of a</p> <p>4 collection of folks with industry experience from a</p> <p>5 wide variety of places, and they come in looking at 10:53:27</p> <p>6 the solutions end to end and understanding how</p> <p>7 the -- the products need to -- to interoperate.</p> <p>8 Q. So would you say -- say that Dell's</p> <p>9 networking teams rely on and use their industry</p> <p>10 experience in creating new CLI commands? 10:53:45</p> <p>11 A. Yes.</p> <p>12 Q. Do you know whether Dell engineers</p> <p>13 consult industry standards, such as those from the</p> <p>14 ITF or IEEE, when adding new CLI commands?</p> <p>15 A. We do. 10:54:00</p> <p>16 Q. Why?</p> <p>17 A. But not --</p> <p>18 Q. I'm sorry. Go ahead.</p> <p>19 A. We do to make sure that we're consistent</p> <p>20 with industry; that is, defined hard industry 10:54:06</p> <p>21 standards, but we're also very knowledgeable about</p> <p>22 the fact that there are -- there are</p> <p>23 customer-driven expectations and standards that</p> <p>24 emerge through informal means.</p> <p>25 Q. So would it be accurate to say that Dell 10:54:23</p> <p style="text-align: right;">Page 42</p>	<p>1 Q. (By Ms. McCloskey) Is that a formal 10:55:53</p> <p>2 process?</p> <p>3 A. The PRD is a formal process.</p> <p>4 Q. You said PRD?</p> <p>5 A. PRD, product requirements document. 10:56:03</p> <p>6 Q. And is that process followed with the</p> <p>7 addition of every new CLI command?</p> <p>8 A. The PRD defines the overall requirements.</p> <p>9 Q. Okay.</p> <p>10 A. The implementation -- 10:56:16</p> <p>11 Q. Okay.</p> <p>12 A. -- is all based off of the knowledge of</p> <p>13 the engineers or the ability for them to -- to</p> <p>14 produce the desired results in the code. So it's</p> <p>15 all proprietary telephony, in terms of the 10:56:26</p> <p>16 implementation.</p> <p>17 Q. And that process you have just described,</p> <p>18 the business team and the market- -- marketing team</p> <p>19 interfacing with customers, does that apply,</p> <p>20 generally, to the CLI commands support -- currently 10:56:43</p> <p>21 supported by Dell switches and routers?</p> <p>22 A. Yes, but the PRDs may not be specific.</p> <p>23 They can be generalized in terms of the functions</p> <p>24 that need to be supported.</p> <p>25 Q. Okay. So you said that the business team 10:57:06</p> <p style="text-align: right;">Page 44</p>
<p>1 considers both industry standards and customer 10:54:26</p> <p>2 expectations in coming up with new CLI commands?</p> <p>3 A. Yes.</p> <p>4 Q. Is there anything I'm missing there?</p> <p>5 Anything else that you would say, generally, is 10:54:36</p> <p>6 considered or consulted in coming up with a new CLI</p> <p>7 command?</p> <p>8 A. Consistency of the product solution sets,</p> <p>9 because of the fact that we OEM and we use</p> <p>10 third-party products in solutions. 10:54:51</p> <p>11 Q. Okay. How does Dell -- you referred to</p> <p>12 customer expectations.</p> <p>13 How does Dell ensure that its CLI</p> <p>14 commands meet customer expectations; for example,</p> <p>15 if Dell is going to add new functionality that will 10:55:15</p> <p>16 require the addition of new CLI commands, is there</p> <p>17 a process for ensuring that those commands meet</p> <p>18 customer expectations?</p> <p>19 MR. HOLMES: Objection. Vague.</p> <p>20 THE DEPONENT: The -- the -- the PLM team 10:55:25</p> <p>21 or the business product line marketing team, or</p> <p>22 manage- -- primary management team will, at Dell,</p> <p>23 interface with the sales engineers, interface with</p> <p>24 the customers, and make requirements or provide</p> <p>25 requirements to the engineering team. 10:55:47</p> <p style="text-align: right;">Page 43</p>	<p>1 or the marketing team interfaces with customers. 10:57:07</p> <p>2 Does Dell receive feedback from the</p> <p>3 customers regarding the CLI?</p> <p>4 A. We do betas afterward, and we do testing</p> <p>5 afterwards. Plus, we'll provide sometimes early 10:57:22</p> <p>6 engagements where we give them visibility to what</p> <p>7 we're implementing.</p> <p>8 Q. So is it accurate to say that Dell</p> <p>9 solicits feedback from customers?</p> <p>10 A. Yes. 10:57:35</p> <p>11 Q. Is it -- is it possible to say,</p> <p>12 generally, what kind of feedback customers</p> <p>13 typically give Dell with respect to new CLI</p> <p>14 commands?</p> <p>15 A. Can you restate the question. 10:57:51</p> <p>16 Q. Sure.</p> <p>17 Are -- is it possible for you to explain,</p> <p>18 generally, what kind of feedback Dell usually gets</p> <p>19 from customers when it's implementing or deciding</p> <p>20 whether to implement a new CLI command? 10:58:03</p> <p>21 A. Yes.</p> <p>22 Q. Can you explain it to me?</p> <p>23 A. We will -- we will, generally, get</p> <p>24 feedback relative to a level of consistency with</p> <p>25 their expectations and a level of consistency with 10:58:18</p> <p style="text-align: right;">Page 45</p>

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1 A. Yes. 11:20:45	1 explain what you mean by OEM? 11:23:19
2 Q. What does it refer to?	2 A. OEM. Other equipment manufacturer.
3 A. It refers to the practices in the	3 Q. Thank you.
4 industry, in general, relative to the CLI and the	4 A. So, for example, the software on here
5 implementation of the CLI in the industry. 11:20:56	5 wasn't necessarily developed by us. 11:23:29
6 Q. What do you mean the practices in the	6 Q. Okay. Does Dell have a policy with
7 industry, in general?	7 respect to its use of industry-standard commands?
8 A. Expectations from the industry for -- and	8 MR. HOLMES: Objection. Assumes facts
9 customers for -- for certain capabilities that must	9 not in evidence.
10 exist within the CLI. 11:21:13	10 THE DEPONENT: There's no formal policy. 11:23:51
11 Q. You mentioned that you'd heard the term	11 Q. (By Ms. McCloskey) Does Dell make an
12 industry-standard CLI from customers; is that	12 effort to adopt industry-standard commands where
13 correct?	13 appropriate?
14 A. Yes.	14 A. Yes.
15 Q. In what context have you heard customers 11:21:30	15 Q. Can you explain to me when it's 11:24:02
16 refer to industry-standard CLI?	16 appropriate for a company such as Dell to adopt
17 A. We've heard it in terms of communication	17 industry-standard commands?
18 of requirements or communication of -- of their	18 A. Dell tries to -- within its technologies,
19 practices internally.	19 tries to remain consistent about the open standards
20 Q. So based on communications you've had 11:21:47	20 in the industry and -- and make sure that we 11:24:17
21 with customers, you understand that customers	21 provide interoperability across platforms for the
22 expect industry-standard CLI?	22 end-to-end solutions. So we try to avoid, as much
23 A. Yes.	23 as possible, any priority implementations.
24 Q. In your experience, why do you understand	24 Q. So it sounds to me like Dell tries to use
25 that customers expect -- expect industry-standard 11:21:58	25 the industry-standard commands as much as possible. 11:24:42
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1 CLI? 11:22:02	1 A. We try to use what our -- we try to make 11:24:45
2 A. My understanding is because they want	2 sure that we're meeting our customer expectations.
3 to -- they want their technicians to behave a	3 So whatever the customer expectations are and
4 certain way or their -- their network	4 whatever we can do to make sure that we have a
5 administrators to behave a certain way and -- and 11:22:15	5 level of consistency across Dell's full -- full 11:24:58
6 they want a level of consistency, in terms of the	6 portfolio, we will do.
7 expected results.	7 Q. Do customers generally expect
8 Q. Is the term industry-standard CLI a term	8 industry-standard commands?
9 you've heard customers use frequently?	9 MR. HOLMES: Objection. Calls for
10 MR. THOMPSON: Objection. Vague. 11:22:35	10 speculation. Foundation. 11:25:11
11 THE DEPONENT: I -- I've heard it	11 THE DEPONENT: In general, yes.
12 consistently.	12 Q. (By Ms. McCloskey) How do you know that?
13 Q. (By Ms. McCloskey) You mentioned that	13 A. Conversations with different customers
14 you'd heard the term industry-standard CLI from	14 and just through travel knowledge, in general.
15 engineers. 11:22:46	15 Q. So through your experience in networking 11:25:25
16 Do you recall in what context you've	16 over, I guess, almost 20 years, you understand that
17 heard engineers use the term industry-standard CLI?	17 customers generally expect industry-standard
18 A. Sure. In terms of when you're -- you're	18 commands?
19 talking about how to -- when we OEM a product or	19 A. Yes.
20 we -- or we're configuring a multiple vendor 11:23:00	20 Q. Are there any circumstances in which Dell 11:25:42
21 solution, the term will come up, you know, what --	21 does not adopt industry-standard commands?
22 what do we need to do with the CLI, or what do we	22 A. We will not adopt an industry-standard
23 need to do for the interface of the management	23 command if we don't think that the underlying
24 tools and how it's industry standard.	24 functionality can be developed without violating
25 Q. Just so the record is clear, can you 11:23:17	25 somebody else's intellectual property. 11:26:02
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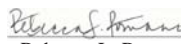
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<p>1 Q. What do you mean by, when the underlying 11:26:05</p> <p>2 functionality can't be developed without violating</p> <p>3 someone else's intellectual property?</p> <p>4 A. If -- if there is intellectual property</p> <p>5 across the implementation of a particular -- 11:26:15</p> <p>6 particular protocol or -- or particular innovation</p> <p>7 and the command is simply an interface into that</p> <p>8 innovation, we won't --</p> <p>9 Q. I see,</p> <p>10 A. -- touch it. 11:26:33</p> <p>11 Q. Okay. Is it your understanding then that</p> <p>12 Dell uses many CLI commands that are also supported</p> <p>13 by other networking equipment vendors in the</p> <p>14 industry?</p> <p>15 A. Can you restate that one. 11:26:51</p> <p>16 Q. Sure,</p> <p>17 Is it your understanding then that Dell</p> <p>18 uses many CLI commands that are also supported by</p> <p>19 other networking equipment vendors in the industry?</p> <p>20 MR. HOLMES: Objection. Vague. Calls 11:27:02</p> <p>21 for speculation.</p> <p>22 THE DEPONENT: Sorry. One more time.</p> <p>23 MS. McCLOSKEY: Sure. No problem.</p> <p>24 Q. (By Ms. McCloskey) Is it your</p> <p>25 understanding that Dell uses many CLI commands that 11:27:14</p> <p style="text-align: right;">Page 62</p>	<p>1 fairly called industry-standard commands? 11:28:29</p> <p>2 A. Yes.</p> <p>3 Q. Would it be fair to say that Dell and</p> <p>4 Cisco's CLI commands may overlap, to the extent</p> <p>5 both use industry-standard CLI commands? 11:28:36</p> <p>6 MR. HOLMES: Objection. Vague. Calls</p> <p>7 for speculation.</p> <p>8 THE DEPONENT: Yes.</p> <p>9 Q. (By Ms. McCloskey) Are you aware of</p> <p>10 other vendors with whom Dell's CLI commands 11:28:45</p> <p>11 overlap?</p> <p>12 A. Yes.</p> <p>13 Q. Which vendors?</p> <p>14 A. Anybody that uses that same industry</p> <p>15 standard. So it would be Arista. I believe 11:28:56</p> <p>16 Juniper. Extreme. Enterasys. Anybody that uses</p> <p>17 the Broadcom, PowerConnect software or Level --</p> <p>18 Level 7 software.</p> <p>19 Q. So many vendors use the industry-standard</p> <p>20 CLI demands? 11:29:18</p> <p>21 A. Yes.</p> <p>22 MR. HOLMES: Objection. Calls for</p> <p>23 speculation.</p> <p>24 Q. (By Ms. McCloskey) Has -- has Dell ever</p> <p>25 considered whether it was somehow wrong to use CLI 11:29:36</p> <p style="text-align: right;">Page 64</p>
<p>1 are also supported by other networking equipment 11:27:17</p> <p>2 vendors in the industry?</p> <p>3 A. Yes.</p> <p>4 MR. HOLMES: Same objections.</p> <p>5 Q. (By Ms. McCloskey) How do you know that? 11:27:25</p> <p>6 A. Because it's an industry standard.</p> <p>7 Q. Do you have an understanding as to</p> <p>8 whether Cisco uses many CLI commands that are also</p> <p>9 supported by other networking equipment vendors in</p> <p>10 the industry? 11:27:49</p> <p>11 MR. HOLMES: Objection. Vague. Calls</p> <p>12 for speculation.</p> <p>13 THE DEPONENT: I'm aware that some of</p> <p>14 their commands are consistent with other vendors.</p> <p>15 Q. (By Ms. McCloskey) How do you know that? 11:27:56</p> <p>16 A. Because they're industry standard.</p> <p>17 Q. Are you generally familiar with some of</p> <p>18 Cisco's CLI commands?</p> <p>19 A. I'm generally familiar with the fact,</p> <p>20 yes. 11:28:09</p> <p>21 (Discussion off the stenographic record.)</p> <p>22 Q. (By Ms. McCloskey) I think you would</p> <p>23 agree with this, but would you agree that commands</p> <p>24 that are used by many different vendors and that</p> <p>25 customers expect to see in an Ethernet switch are 11:28:24</p> <p style="text-align: right;">Page 63</p>	<p>1 commands that are also supported by Cisco? 11:29:39</p> <p>2 A. No.</p> <p>3 MR. HOLMES: Objection. Vague. Calls</p> <p>4 for a legal conclusion.</p> <p>5 Q. (By Ms. McCloskey) Is it fair to say 11:29:47</p> <p>6 that if Dell thought that it was wrong to use a</p> <p>7 certain CLI command, it wouldn't use it?</p> <p>8 A. Yes.</p> <p>9 MR. HOLMES: Same objections.</p> <p>10 Q. (By Ms. McCloskey) Is it fair to say 11:29:55</p> <p>11 that if Dell thought it was illegal to use a</p> <p>12 certain CLI command, it wouldn't use it?</p> <p>13 A. Yes.</p> <p>14 MR. HOLMES: Same objections.</p> <p>15 Q. (By Ms. McCloskey) Have you ever 11:30:03</p> <p>16 discussed with others the fact that the Dell CLI --</p> <p>17 that the CLI supported by Dell shares commands in</p> <p>18 common with the CLI supported by Cisco?</p> <p>19 MR. THOMPSON: Let me just caution the</p> <p>20 witness, you should exclude any communications with 11:30:13</p> <p>21 your lawyers.</p> <p>22 THE DEPONENT: Agree.</p> <p>23 Q. (By Ms. McCloskey) Thank you.</p> <p>24 Would you like me to read the question?</p> <p>25 A. Yes, please. 11:30:22</p> <p style="text-align: right;">Page 65</p>

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1 important to know that the Dell OEM's the 12:27:03	1 was a Force10 or a Dell document. It depends on 12:30:06
2 PowerConnect, I believe, full series --	2 timing. It looks like it was a Force10 document.
3 Q. (By Ms. McCloskey) Okay.	3 Q. (By Ms. McCloskey) Do you see on the
4 A. -- so that the software is not	4 middle of the front -- front page where it says,
5 necessarily Dell-produced software. 12:27:14	5 "The FTOS CLI combines an industry-standard show, 12:30:16
6 Q. Do you have an understanding of whose	6 configuration and debugging syntax with" -- "with
7 software it would be?	7 enhanced usability and navigation features. As a
8 A. Yes.	8 result, configuration and troubleshooting is just
9 Q. Who is that?	9 like working on an iOS platform, but more
10 A. Broadcom. 12:27:24	10 comfortable." 12:30:33
11 Q. So am I correct in understanding that	11 Do you see that?
12 this document indicates that the Broad- -- Broadcom	12 A. Yes.
13 software supports the industry-standard CLI?	13 Q. Do you have an understanding of what this
14 A. I believe so, yes.	14 document refers to when it references an industry
15 Q. Do you have any reason to question 12:27:36	15 standard show syntax? 12:30:46
16 whether the Broadcom software supports the	16 MR. HOLMES: Objection. Foundation.
17 industry-standard CLI?	17 THE DEPONENT: It would be -- my
18 MR. THOMPSON: Same objections.	18 assumption is that the author intended to
19 THE DEPONENT: No. My comment was not	19 demonstrate that the -- the CLI implementation was
20 familiarity with this particular series or -- or 12:27:45	20 what customers would expect for the industry 12:31:10
21 the particular switch, and just going from memory	21 standard, and that they had gone and also provided
22 in terms of who has Broadcom software versus who	22 additional commands for -- for making some of the
23 has Dell software on the individual switches.	23 navigation or some of the implementation easier.
24 MS. MCCLOSKEY: Okay. Thanks. You can	24 So it looks like they have implemented an industry
25 put that document aside. 12:28:08	25 standard and then additional commands. 12:31:28
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1 I'm going to show you a document which is 12:28:08	1 Q. (By Ms. McCloskey) Which additional 12:31:31
2 marked 958.	2 commands are those?
3 (Exhibit 958 was marked for identification by	3 A. It -- I -- I'd be speculating.
4 the court reporter and is attached hereto.)	4 Q. Okay. What does iOS refer to?
5 Q. (By Ms. McCloskey) Mr. Cato, I've handed 12:28:11	5 MR. HOLMES: Objection. Vague. 12:31:45
6 you a document which is marked Exhibit 958.	6 Foundation.
7 Do you recognize this document?	7 THE DEPONENT: I believe iOS refers to
8 A. No.	8 Cisco's operating system.
9 Q. Can you please take a look at this	9 Q. (By Ms. McCloskey) So is it your
10 document and tell me what your understanding is 12:28:29	10 understanding -- 12:31:53
11 that it is?	11 A. -- on one of their -- on some of their
12 MR. HOLMES: Objection. Foundation.	12 switches.
13 THE DEPONENT: It looks like it's a	13 Q. Thank you for that clarification.
14 marketing document talking about the CLI on	14 Is it your understanding that this
15 Force10's operating system. 12:29:41	15 document -- this marketing document is indicating 12:31:59
16 Q. (By Ms. McCloskey) Have you seen	16 to customers that configuration and troubleshooting
17 documents like this before?	17 is similar to working on a Cisco iOS platform?
18 MR. HOLMES: Objection. Vague.	18 MR. HOLMES: Objection. The document
19 THE DEPONENT: I've seen similar	19 speaks for itself. Foundation.
20 documents. 12:29:57	20 THE DEPONENT: I believe that it's 12:32:13
21 Q. (By Ms. McCloskey) And -- and just to be	21 indicating that if you -- if you are familiar with
22 clear, it's a Dell marketing document about CLI; is	22 the industry-standard aspects of the Cisco, you
23 that correct?	23 would be familiar with the industry-standard
24 MR. HOLMES: Objection. Foundation.	24 aspects of the Dell switch, or the Force10 switch
25 THE DEPONENT: I am unable to tell if it 12:30:04	25 in this case. 12:32:32
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<p>1 property. 12:49:21</p> <p>2 MS. McCLOSKEY: I have no further</p> <p>3 questions. Thank you very much.</p> <p>4 MR. HOLMES: I have one final question.</p> <p>5 FURTHER EXAMINATION 12:49:32</p> <p>6 BY MR. HOLMES:</p> <p>7 Q. Sir, we discussed a company called</p> <p>8 Force10 today.</p> <p>9 Do you remember that?</p> <p>10 A. Yes, sir. 12:49:36</p> <p>11 Q. And you're not here as a</p> <p>12 representative -- corporate representative of</p> <p>13 Force10, are you?</p> <p>14 A. I am not.</p> <p>15 Q. And you don't work for Force10 currently, 12:49:42</p> <p>16 right?</p> <p>17 A. I work for Dell.</p> <p>18 MR. HOLMES: No further questions.</p> <p>19 Thank you.</p> <p>20 THE VIDEOGRAPHER: This is the end of 12:49:48</p> <p>21 today's deposition of Dell, Inc. The deponent is</p> <p>22 Gavin Cato. We are off the record at 12:49 p.m.</p> <p>23 Thank you.</p> <p>24 (TIME NOTED: 12:49 p.m.)</p> <p>25</p> <p style="text-align: right;">Page 122</p>	<p>1 I, Rebecca L. Romano, a Certified Shorthand</p> <p>2 Reporter of the State of California, do hereby certify:</p> <p>3 That the foregoing proceedings were taken before me</p> <p>4 at the time and place herein set forth; that any</p> <p>5 witnesses in the foregoing proceedings, prior to</p> <p>6 testifying, were administered an oath; that a record of</p> <p>7 the proceedings was made by me using machine shorthand</p> <p>8 which was thereafter transcribed under my direction;</p> <p>9 that the foregoing transcript is true record of the</p> <p>10 testimony given.</p> <p>11 Further, that if the foregoing pertains to the</p> <p>12 original transcript of a deposition in a Federal Case,</p> <p>13 before completion of the proceedings, review of the</p> <p>14 transcript [] was [X] was not requested.</p> <p>15 I further certify I am neither financially</p> <p>16 interested in the action nor a relative or employee of</p> <p>17 any attorney or any party to this action.</p> <p>18 IN WITNESS WHEREOF, I have this date subscribed my</p> <p>19 name.</p> <p>20 Dated: May 26, 2016</p> <p>21</p> <p>22</p> <p>23 </p> <p>24 Rebecca L. Romano, RPR,</p> <p>25 CSR. No 12546</p> <p style="text-align: right;">Page 124</p>
<p>1 I declare under penalty of perjury</p> <p>2 under the laws that the foregoing is</p> <p>3 true and correct.</p> <p>4</p> <p>5 Executed on _____, 20____,</p> <p>6 at _____.</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11 _____</p> <p>12 GAVIN CATO</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 123</p>	